

BOIES SCHILLER FLEXNER LLP
 RICHARD J. POCKER (NV Bar No. 3568)
 300 South Fourth Street, Suite 800
 Las Vegas, NV 89101
 Telephone: 702.382.7300
 Facsimile: 702.382.2755
 rpocker@bsflp.com

PAUL, WEISS, RIFKIND, WHARTON &
 GARRISON LLP
 WILLIAM A. ISAACSON (*pro hac vice*)
 KAREN DUNN (*pro hac vice*)
 2001 K Street, NW
 Washington, DC 20006
 Telephone: 202.223.7300
 Facsimile: 202.223.7420
 wisaacson@paulweiss.com
 kdunn@paulweiss.com

BOIES SCHILLER FLEXNER LLP
 BEKO REBLITZ-RICHARDSON (*pro hac vice*)
 SEAN P. RODRIGUEZ (*pro hac vice*)
 44 Montgomery Street, 41st Floor
 San Francisco, CA 94104
 Telephone: 415.293.6800
 Facsimile: 415.293.6899
 brichardson@bsflp.com
 srodriguez@bsflp.com

MORGAN, LEWIS & BOCKIUS LLP
 BENJAMIN P. SMITH (*pro hac vice*)
 JOHN A. POLITO (*pro hac vice*)
 SHARON R. SMITH (*pro hac vice*)
 One Market, Spear Street Tower
 San Francisco, CA 94105
 Telephone: 415.442.1000
 Facsimile: 415.442.1001
 benjamin.smith@morganlewis.com
 john.polito@morganlewis.com
 sharon.smith@morganlewis.com

DORIAN DALEY (*pro hac vice*)
 DEBORAH K. MILLER (*pro hac vice*)
 JAMES C. MAROULIS (*pro hac vice*)
 ORACLE CORPORATION
 500 Oracle Parkway, M/S 5op7
 Redwood City, CA 94070
 Telephone: 650.506.4846
 Facsimile: 650.506.7114
 dorian.daley@oracle.com
 deborah.miller@oracle.com
 jim.maroulis@oracle.com

*Attorneys for Plaintiffs Oracle USA, Inc.,
 Oracle America, Inc., and Oracle
 International Corp.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORACLE USA, INC.; a Colorado corporation;
 ORACLE AMERICA, INC.; a Delaware
 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
 and SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-VCF

**DECLARATION OF JOHN A.
 POLITO IN SUPPORT OF
 ORACLE'S OPPOSITION TO
 RIMINI STREET, INC.'S MOTION
 TO EXCLUDE THE
 DECLARATION AND OPINIONS
 OF BARBARA A. FREDERIKSEN-
 CROSS ISO ORACLE'S MOTION
 FOR ORDER TO SHOW CAUSE**

1 I, John A. Polito, declare as follows:

2 1. I am an attorney admitted to practice law in the State of California and before the
3 Court in this action *pro hac vice*. I am a partner with Morgan, Lewis & Bockius LLP, counsel of
4 record for Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation
5 (together, "Oracle" or "Plaintiffs") in this action. I submit this declaration in support of Oracle's
6 Opposition to Rimini's Motion to Exclude the Declaration and Opinions of Barbara A.
7 Frederiksen-Cross in Support of Oracle's Motion for Order to Show Cause. I have personal
8 knowledge of the facts set forth in this declaration and would competently testify to them if called
9 upon to do so.

10 2. The Exhibits referenced below are all attached. These Exhibits are all true and
11 correct copies of pages or excerpts from final deposition transcripts or from documents produced
12 by Defendant Rimini Street, Inc. ("Rimini"). To minimize the bulk, for ease of use, and to the
13 extent possible without losing context, only the relevant pages and information are included in
14 these Exhibits.

15 3. Attached as **Exhibit 1** is a true and correct copy of transcript excerpts from the
16 June 30, 2020 Deposition of Owen Astrachan.

17 4. Attached as **Exhibit 2** is a true and correct copy of a document Rimini produced to
18 Oracle as part of discovery in this action as RSI007294828.

19 5. Attached as **Exhibit 3** is a true and correct copy of a document Rimini produced to
20 Oracle as part of discovery in this action as RSI007296263.

21 6. Attached as **Exhibit 4** is a true and correct copy of transcript excerpts from the
22 August 21, 2018 Deposition of Owen Astrachan taken during the *Rimini II* litigation.

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct.

3 Executed August 14, 2020 at Berkeley, California.

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5 DATED: August 14, 2020

MORGAN, LEWIS & BOCKIUS LLP

6 By: /s/ John A. Polito
7 John A. Polito

8 Attorneys for Plaintiffs Oracle USA, Inc.,
9 Oracle America, Inc., and Oracle
10 International Corporation
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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of August 2020, I electronically transmitted the foregoing **DECLARATION OF JOHN A. POLITO IN SUPPORT OF ORACLE'S OPPOSITION TO RIMINI STREET, INC.'S MOTION TO EXCLUDE THE DECLARATION AND OPINIONS OF BARBARA A. FREDERIKSEN-CROSS ISO ORACLE'S MOTION FOR ORDER TO SHOW CAUSE** to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being registered to receive Electronic Filing.

DATED: August 14, 2020

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ John A. Polito
John A. Polito

Attorneys for Plaintiffs Oracle USA, Inc.,
Oracle America, Inc., and Oracle International
Corporation